

Atty. Docket No. 156.0001
Appl. No. 09/310,965



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37/0000
3-4-02

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : STAN SCHALL, JR.
Serial No. : 09/310,965
Filed : May 13, 1999
For : EXERCISE APPARATUS

Examiner: J. Y.
Group Art. Unit 3764

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AMENDMENT

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

Please amend this application as follows:

IN THE CLAIMS:

Please amend claims 13 as follows:

13. (Twice Amended) An exercise device comprising:

a lower housing including a lower housing cap, a cylindrical base, and a rim around a periphery of said cylindrical base, said lower housing cap rests on said cylindrical base, said lower housing cap having an opening passing therethrough,

an upper housing shrouding said cylindrical base, said upper housing includes a platform, a cylindrical extension extending down from said platform, a handle extending upward from said platform, and a rim around an inside cavity of said cylindrical extension, said rim engages said rim of said lower housing,

means for allowing rotation of said platform of said upper housing relative to said lower housing such that said lower housing remains stationary while said platform freely

rotates on said lower housing, said means providing an opening passing therethrough aligned with the opening of said lower housing cap, and

means for resisting rotation in communication with said lower housing and said upper housing, said resisting rotation means are internal to said lower housing and said upper housing, said resisting rotation means passing through the opening in said lower housing cap and the opening in said rotating means.

REMARKS

Reconsideration of the Office Action of October 19, 2001 respectfully is requested. This Amendment is in response to that Office Action. Concurrently filed with this Amendment is an Extension of Time and accompanying fee to extend the time of response until February 19, 2002. A Formal Drawing Transmittal is also filed concurrently to address the Draftperson's objections and to incorporate the previously approved drawing amendments.

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page is captioned "**Version with markings to show changes made.**"

Claim 13 has been amended a second time to better conform with the disclosure by changing "means for rotating the platform" to "means for allowing rotation of the platform" in view of the Examiner rejection of this claim under 35 U.S.C. §112, first paragraph.